

Date: June 30, 2004

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "First Class Mail" service.

Donald S. Prater  
Name (Print)

Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: MAY et al.

Examiner: Unassigned

Application No.: 10/721,204

Group Art Unit: 1645

Filed: November 25, 2003

Confirmation No.: 5525

Docket No.: 1966 (3010-003-01)

Customer No.: 33432

For: NOVEL FUSED INDAZOLES AND INDOLES AND THEIR USE FOR THE TREATMENT OF GLAUCOMA

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 CFR 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 30, 2004

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. Since this application has a filing date after June 30, 2003, no copies of U.S. Patents/Patent Application Publications are provided. One copy of each foreign publication and "other" documents is attached.

This Information Disclosure Statement is being submitted after expiration of the three-month period following filing of the above-captioned application, but before an Office Action on the merits and before any final Office Action or Notice of Allowance.

Should a first Office Action cross in the mail with the filing of this Information Disclosure statement, then the applicants respectfully petition under 37 C.F.R. §1.97(c) to consider the documents set forth in the Information Disclosure Statement.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §§1.104(a) and

Information Disclosure Statement  
U.S. Patent Application No. 10/721,204

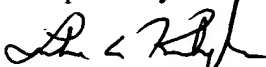
1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in this application and the applicants determine that the cited documents do not constitute "prior art" under United States law, the applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

It is believed that no fee is required to make this a complete and timely filing. However, if it is determined that a petition or fee is required, the Commissioner is hereby authorized to charge any fee associated with this statement to our Deposit Account No. 50-0925 and please consider this a petition.

Respectfully submitted,



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Enclosures: PTO-1449, w/31 Documents

FORM PTO-1449 (REV 7-80)			Atty. Docket No. 1966 (3010-003-01)		Application No. 10/721,204		
INFORMATION DISCLOSURE STATEMENT			APPLICANT: May et al.				
			Filing Date: November 25, 2003		Group Art Unit: 1645		
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE, IF APPROPRIATE
	A	5,385,928	01/31/95	Flaugh	514	403	
	B	5,578,612	11/26/96	Macor et al.	514	323	
	C	5,494,928	2/27/96	Bös	514	415	
	D	5,571,833	11/5/96	Kruse et al.	514	414	
	E	5,874,477	2/23/99	McConnell et al.	514	657	
	F	5,902,815	5/11/99	Olney et al.	514	285	
	G	5,561,150	10/1/96	Wichmann	514	406	
	H	5,646,173	7/8/97	Bös et al.	514	411	
	I	4,985,424	1/15/91	van Wijngaarden et al.	514	220	
	J	5,889,052	3/30/99	Klimko et al.	514	530	
	K	5,296,504	3/22/94	Stjerschantz et al.	514	530	
	L	5,422,368	6/6/95	Sternschantz et al.	514	530	
	M	5,151,444	9/29/92	Ueno et al.	514	530	
	N	5,352,708	10/4/94	Woodward et al.	514	729	
	O	4,690,931	9/1/87	Wick et al.	514	317	
	P	6,713,471 B1	3/30/04	Robichaud et al.	514	211.1	
	Q	2004/0034015	2/19/04	Robichaud et al.	514	219	
	R	6,548,493 B1	4/15/03	Robichaud et al.	514	212.05	
	S	6,552,017 B1	4/22/03	Robichaud et al.	514	219	
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
	T	WO 98/18458	5/7/98	WIPO			
	U	WO 92/20338	11/26/92	WIPO			
	V	WO 97/33579	9/18/97	WIPO			
	W	WO 98/31354	7/23/98	WIPO			
	X	WO 00/12475	3/9/00	WIPO			
	Y	WO 00/12510	3/9/00	WIPO			
	Z	WO 00/44753	8/3/00	WIPO			
	AA	WO 00/35922	6/22/00	WIPO			
	AB	WO 98/56768	12/17/98	JPO			Abstract X
	AC	WO 94/13275	6/23/94	WIPO			
	AD	WO 00/16761	3/30/00	WIPO			

	AE	EP 0771563 A2	5/7/97	EPO				
	AF	718,057	1968	Belgium				
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>								
	Osborne, et al. "Do Beta-Adrenoceptors and Serotonin 5-HT <sub>1A</sub> Receptors Have Similar Functions in the Control of Intraocular Pressure in the Rabbit?" <i>Ophthalmologica</i> , Vol. 210, pp. 308-314 (1996)							
	Wang, et al., "Effect of 5-methylurapidil, an $\alpha_{1A}$ -adrenergic antagonist and 5-hydroxytryptamine <sub>1A</sub> agonist, on aqueous humor dynamics in monkeys and rabbits" <i>Current Eye Research</i> , Vol. 16(8) pp. 769-775 (1997)							
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	Wentland et al., "Synthesis and Bacterial DNA Gyrase Inhibitory Properties of a Spirocyclopropylquinolone Derivative" <i>J. Med. Chem.</i> , Vol. 31, pp. 1694-1697 (1988)							
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	Bowen et al., "Nonlinear regression using spreadsheets," <i>Trends Pharmacol. Sci.</i> , Vol. 16, pp. 413-417 (1995)							
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	International Search Report for PCT/US02/17114 dated August 23, 2002							
EXAMINER				DATE CONSIDERED				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								